

1FW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Richard C. Liesmann, et al
U.S. Patent Serial No.: 10/676,993
Filing Date: September 30, 2003
Examiner: Camtu Tran Nguyen
Group No.: 3743
Confirmation No.: 7254
Title: *Vacuum Splint Device*

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Candice R. Rockett

Candice R. Rockett

Date of Deposit: November 15, 2005

**REQUEST FOR CONSIDERATION OF AN INFORMATION
DISCLOSURE STATEMENT TIMELY FILED**

For reasons set forth below, it is respectfully requested that the United States Patent and Trademark Office (PTO) file for this application be promptly forwarded to Examiner Camtu Tran Nguyen, for confirmation that the references listed on PTO-1449 attached to the Information Disclosure Statements filed September 30, 2003 and August 16, 2004 have been considered.

On September 30, 2003 and August 16, 2004 Applicants filed Information Disclosure Statements (IDS) with PTO-1449 forms (three (3) pages) attached, listing the references submitted for consideration. Copies of all references were submitted to the U.S. Patent and Trademark Office on September 30, 2003 and August 16, 2004.

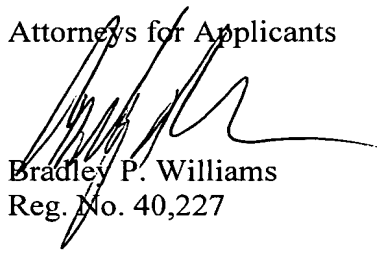
DAL01:872447.1

This Information Disclosure Statements were mailed to the U.S. Patent and Trademark Office on September 30, 2003 and August 16, 2004 as shown on the enclosed copy of the date-stamped Baker Botts L.L.P. return postcard.

A Final Office Action for this application was mailed on September 19, 2005. However, Examiner Camtu Tran Nguyen has not returned a copy of the PTO-1449 form indicating consideration of the references cited in the Information Disclosure Statements filed September 30, 2003 and August 16, 2004.

Accordingly, **Applicants hereby request confirmation of consideration of the previously filed Information Disclosure Statement.** Examiner Camtu Tran Nguyen is requested to initial the references listed on the PTO-1449 forms to show that they were appropriately considered during examination of this Application. The Commissioner is hereby authorized to credit any overpayment, or to charge any additional fee required by this paper, to Deposit Account No. 02-0384 of Baker Botts L.L.P.

BAKER BOTTS L.L.P.
Attorneys for Applicants



Bradley P. Williams
Reg. No. 40,227

2001 Ross Avenue, Suite 600
Dallas, Texas 75201-2980
(214) 953-6447

Enclosures: Copy of Information Disclosure Statements filed September 30, 2003 and August 16, 2004 with Form PTO-1449
Copy of the Baker Botts L.L.P. return postcard showing date stamp of September 30, 2003 and August 16, 2004



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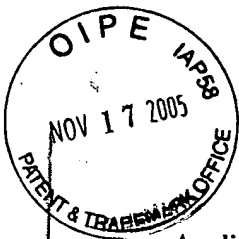
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Arlington, VA 22202

3227-022

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FILED

In re Utility Patent Application

Applicant: Liesmann, Richard C.
Filing Date: September 30, 2003

Attorney Docket No.: 3227-022
Serial No.: To Be Assigned

FOR: VACUUM SPLINT DEVICE

Check No. 21163 for filing fee of \$505.00; Transmittal Letter; Utility Patent Application Transmittal; Fee Transmittal; 19 Pages of Specifications, including 30 Claims and an Abstract; 5 Drawing Sheets; Declaration and Power of Attorney; Information Disclosure Statement; Copies of six (6) IDS Citations; Assignment Recordation Form Cover Sheets; Assignment; and Certificate of Mailing by Express Mail.

Above Materials Mailed on: September 30, 2003

Commissioner for Patents:

Please acknowledge receipt of the above-identified documents by applying the Patent and Trademark Office receipt hereto and mailing this card.

Respectfully submitted,

Max Shaftal

In re Utility Patent Application

Applicant: Liesmann, Richard C.
Filing Date: September 30, 2003

Attorney Docket No.: 3227-022
Serial No.: To Be Assigned

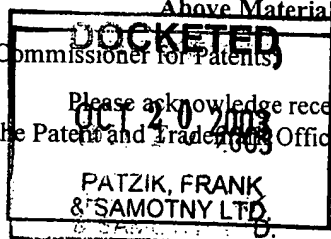
FOR: VACUUM SPLINT DEVICE

Check No. 21163 for filing fee of \$505.00; Transmittal Letter; Utility Patent Application Transmittal; Fee Transmittal; 19 Pages of Specifications, including 30 Claims and an Abstract; 5 Drawing Sheets; Declaration and Power of Attorney; Information Disclosure Statement; Copies of six (6) IDS Citations; Assignment Recordation Form Cover Sheets; Assignment; and Certificate of Mailing by Express Mail.

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Respectfully submitted, 22141 U.S. PTO

10/676993

Max Shaftal





Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449/PTO

(Use as many sheets as necessary)

Sheet

1

of

1

Complete if Known

Application Number

Filing Date

September 30, 2003

First Named Inventor

Liesman

Art Unit

Examiner Name

Attorney Docket Number

3227-022

U. S. PATENT DOCUMENTS

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

FILE COPY

In re Utility Patent Application

Applicant: Daugherty, David A.
Filing Date: September 30, 2003

Attorney Docket No.: 3227-022
Serial No.: 10/676,993

FOR: VACUUM SPLINT DEVICE

Supplemental Information Disclosure Statement; Copies of Four (4)
United States Patents; Transmittal Letter; and Certificate of Mailing by
Express Mail.

Above Materials Mailed on: August 16, 2004

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card.

Respectfully submitted,

Max Shaftal

In re Utility Patent Application

Applicant: Daugherty, David A.
Filing Date: September 30, 2003

Attorney Docket No.: 3227-022
Serial No.: 10/676,993

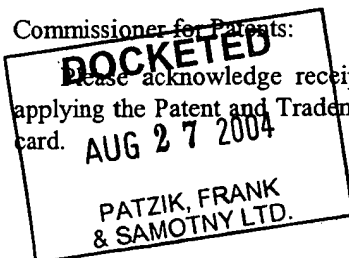
FOR: VACUUM SPLINT DEVICE

Supplemental Information Disclosure Statement; Copies of Four (4)
United States Patents; Transmittal Letter; and Certificate of Mailing by
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Above Materials Mailed on: August 16, 2004

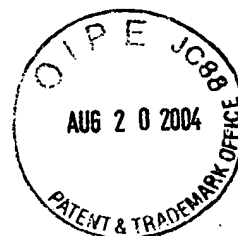
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Respectfully submitted,

Max Shaftal



PATENT APPLICATION

In Re U.S. Patent Application

Patent No.: 10/676,993

Filed: September 30, 2003

For: VACUUM SPLINT DEVICE

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Max Shafrai

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

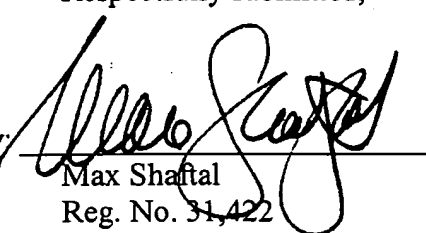
Dear Sir:

In compliance with 37 C.F.R. 1.56, 37 C.F.R. 1.97, and 37 C.F.R. 1.98, the following information is submitted for consideration by the Office in the above application. However, submission of the following references is not an admission that all of these references are prior art.

<u>U.S. Patent No.</u>	<u>Patentee</u>	<u>Date of Grant</u>
3,745,998	Rose	Jul. 17, 1973
4,562,834	Bates et al.	Jan. 07, 1986
4,657,003	Wirtz	Apr. 14, 1987
5,284,468	Nelson	Feb. 08, 1994

Respectfully submitted,

Dated: August 16, 2004

By: 
Max Shafital
Reg. No. 31,422

PATZIK, FRANK & SAMOTNY, LTD.
150 South Wacker Drive
Suite 900
Chicago, IL 60606
Telephone: 312-551-8300
Facsimile: 312-551-1101

<u>Attorney</u>	<u>Reg. No.</u>
Max Shafital	31,422
Scott Smilie	44,341
Sean S. Swidler	49,033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**SUPPLEMENTAL
INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1

of 1

Complete if Known

Application Number	10/676,993
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Filing Date	September 30, 2003
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First Named Inventor	Daugherty, David A.
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Art Unit

Examiner Name

Attorney Docket Number	3227-022
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Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where, Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 3,745,998	07/17/1973	Rose	
		US- 4,562,834	01/07/1986	Bates et al.	
		US- 4,657,003	04/14/2987	Wirtz	
		US- 5,284,468	02/08/1994	Nelson	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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